



House of Representatives

General Assembly

File No. 66

February Session, 2016

House Bill No. 5351

House of Representatives, March 21, 2016

The Committee on Veterans' Affairs reported through REP. HENNESSY of the 127th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT ELIMINATING CERTAIN FEES FOR PRESCRIBED MEDICAL MARIJUANA FOR VETERANS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 21a-408d of the 2016 supplement
2 to the general statutes is repealed and the following is substituted in
3 lieu thereof (*Effective October 1, 2016*):

4 (a) Each qualifying patient who is issued a written certification for
5 the palliative use of marijuana under subdivision (1) of subsection (a)
6 of section 21a-408a, and the primary caregiver of such qualifying
7 patient, shall register with the Department of Consumer Protection.
8 Such registration shall be effective from the date the Department of
9 Consumer Protection issues a certificate of registration until the
10 expiration of the written certification issued by the physician. The
11 qualifying patient and the primary caregiver shall provide sufficient
12 identifying information, as determined by the department, to establish
13 the personal identity of the qualifying patient and the primary
14 caregiver. The qualifying patient or the primary caregiver shall report

15 any change in such information to the department not later than five
 16 business days after such change. The department shall issue a
 17 registration certificate to the qualifying patient and to the primary
 18 caregiver and may charge a reasonable fee, not to exceed twenty-five
 19 dollars, for each registration certificate issued under this subsection,
 20 except that no such fee shall be charged to a veteran, as defined in
 21 subsection (a) of section 27-103. Any registration fees collected by the
 22 department under this subsection shall be paid to the State Treasurer
 23 and credited to the General Fund.

24 Sec. 2. Subsection (b) of section 21a-408m of the 2016 supplement to
 25 the general statutes is repealed and the following is substituted in lieu
 26 thereof (*Effective October 1, 2016*):

27 (b) The Commissioner of Consumer Protection shall adopt
 28 regulations, in accordance with chapter 54, to establish a reasonable fee
 29 to be collected from each qualifying patient to whom a written
 30 certification for the palliative use of marijuana is issued under
 31 subdivision (1) of subsection (a) of section 21a-408a, for the purpose of
 32 offsetting the direct and indirect costs of administering the provisions
 33 of sections 21a-408 to 21a-408n, inclusive. The commissioner shall
 34 collect such fee at the time the qualifying patient registers with the
 35 Department of Consumer Protection under subsection (a) of section
 36 21a-408d, as amended by this act, except that no such fee shall be
 37 collected from a veteran, as defined in subsection (a) of section 27-103.
 38 Such fee shall be in addition to any registration fee that may be
 39 charged under [said subsection] subsection (a) of section 21a-408d, as
 40 amended by this act. The fees required to be collected by the
 41 commissioner from qualifying patients under this subsection shall be
 42 paid to the State Treasurer and credited to the General Fund.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2016	21a-408d(a)
Sec. 2	October 1, 2016	21a-408m(b)

VA *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Resources of the General Fund	GF - Revenue Loss	less than 400,000	less than 400,000

Note: GF=General Fund

Municipal Impact: None

Explanation

Requiring the Department of Consumer Protection (DCP) to waive the registration and administrative fees for the palliative use of marijuana by a veteran honorably discharged or released from active service results in a revenue loss of less than \$400,000. Currently there are 3,628 patients with post-traumatic stress disorder (PTSD) in the program. The registration fee for each application or renewal is \$25, and the administrative fee for each application or renewal is \$75. Waiving the fees may result in an increase in the number of patients.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to changes in the fees and the number of patients.

OLR Bill Analysis**HB 5351*****AN ACT ELIMINATING CERTAIN FEES FOR PRESCRIBED MEDICAL MARIJUANA FOR VETERANS.*****SUMMARY:**

This bill requires the consumer protection commissioner to waive the registration and administrative fees for the palliative use of marijuana by a veteran honorably discharged or released from active service. By law, “palliative use” means acquisition, distribution, transfer, possession, use, or transportation of marijuana or related paraphernalia to alleviate a qualifying patient's symptoms of a debilitating condition or their effects (CGS § 21a-408).

The registration fee for each application or renewal is \$25, and the administrative fee for each application or renewal is \$75 (Conn. Agencies Regs. § 21a-408-28).

EFFECTIVE DATE: October 1, 2016

BACKGROUND***Palliative Use of Marijuana***

Subject to various requirements and conditions, the law allows the palliative use of marijuana by qualifying patients to treat certain illnesses such as cancer, glaucoma, HIV, and AIDS. A qualifying patient is a state resident who is at least age 18 and has been diagnosed by a physician as having a debilitating medical condition (CGS § 21a-408). Physicians may issue written certifications to such patients authorizing the palliative use of marijuana. Qualifying patients and their primary caregivers must register with the Department of Consumer Protection. The registration certificate is valid for up to one year, the same period as the physician’s certification (CGS §§ 21a-408c & 21a-408d).

COMMITTEE ACTION

Veterans' Affairs Committee

Joint Favorable

Yea 13 Nay 0 (03/03/2016)